



David E. Moore
Attorney at Law
dmoore@potteranderson.com
302 984-6147 Direct Phone
302 658-1192 Fax

1313 North Market Street
PO. Box 951
Wilmington, DE 19899-0951
302 984 6000

www.potteranderson.com

July 23, 2008

VIA ELECTRONIC FILING

The Honorable Joseph J. Farnan, Jr.
United States District Court
844 North King Street
Wilmington, DE 19801

Re: ICU Medical, Inc. v. Rymed Technologies, Inc.
C.A. No. 07-468-JJF

Dear Judge Farnan:

We represent plaintiff, ICU Medical, Inc. in the above-referenced action. We are writing to notify the Court that the parties have begun activity in the case relating to discovery as per the agreed upon language in the proposed scheduling order submitted on May 30, 2008 (Proposed Rule 16 Order, D.I. 44). Notwithstanding this activity, there remains a dispute as to which parties' proposed schedule shall apply to the remainder of the case. (*See* D.I. 44; 45 and 46). Because, under ICU's proposed schedule, the parties will need to meet and confer in August to determine which claim terms shall be submitted for construction, we respectfully request the Court's assistance in determining which proposed schedule is most appropriate as the parties move forward with this case.

We remain available by phone or in person to resolve the differences in proposals if that would be helpful to the Court.

Respectfully,

/s/ David E. Moore

David E. Moore

DEM:nmt/875515 / 32116

cc: Clerk of the Court (via hand delivery)
Counsel of Record (via electronic mail)